

## NINETEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, May 8, 1907.

The Senate met pursuant to adjournment, Lieutenant Governor Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Kellie.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Hudspeth.	

Absent.

Alexander.	Smith.
Holsey.	Willacy.
Paulus.	

Absent—Excused.

Looney.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Stone, the same was dispensed with.

(See Appendix for committee reports.)

## EXCUSED.

On motion of Senator Chambers, Senator Alexander was excused from attendance upon the Senate for Monday, Tuesday and today on account of important business.

On motion of Senator Harper, Senator Holsey was excused from attendance upon the Senate for first of this week and indefinitely, on account of sickness.

There being no bills and resolutions, the Chair declared the morning call concluded.

# REPORT OF PAN-AMERICAN COLLEGE COMMISSIONERS ADOPTED.

Upon motion of Senator Skinner, the report, suggestions and recommendations of the Texas Commissioners for the promulgation of the proposed Pan-American College of Commerce was

adopted, as printed in Appendix to the Journal of the 6th inst.

## SENATE BILL NO. 60.

On motion of Senator Terrell, the pending order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, Senate bill No. 60, by the following vote:

Yeas—22.

Chambers.	Kellie.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.

Absent.

Barrett.	Smith.
Brachfield.	Veale.
Paulus.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

The Chair laid before the Senate, on second reading,

Senate bill No. 60, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 25, 1907, entitled 'An Act to amend Chapter XCIV, page 119, of the Acts of the Twenty-eighth Legislature, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith, by adding to said law Section 18, concerning punishment for violation thereof; Section 19, with reference to venue; Section 20, with reference to the duties of district and county attorneys and the Attorney General, and Section 21, concerning fees, and declaring an emergency,'" by adding to said Chapter 94, page 119 of the Acts of the Twenty-eighth Legislature, Sections 19, 20, 21 and 22; said Section 19 defining, prohibiting and declaring illegal trusts,

monopolies and conspiracies in restraint of trade, providing criminal prosecutions therefor, and fixing the punishment and penalties for violations of said chapter, and of this act, Section 20 fixing venue for criminal prosecutions and providing that such prosecutions shall not bar a prosecution of or recovery against any other person or persons for the same offense; Section 21 defining the powers and prescribing the duties of county and district attorneys of this State, and of the Attorney General, under this act; and Section 22, fixing the fees of the county and district attorneys for prosecutions under this act, and apportioning such fees between such county and district attorneys, and providing that this act shall not repeal said Chapter 94, Acts of the Twenty-eighth Legislature of Texas, and that this act shall be cumulative thereof; and declaring an emergency."

On motion of Senator Terrell, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Chambers.	Kellie.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.

Absent.

Barrett.	Smith.
Brachfield.	Veale.
Paulus.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Chambers.	Cunningham.
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Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Meachum.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	

Absent.

Barrett.	Smith.
Brachfield.	Veale.
Murray.	Willacy.
Paulus.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas.

Austin, Texas, May 8, 1907.

To the Legislature.

Pursuant to Section 40, Article 3, of the Constitution of the State of Texas, and by virtue of the authority vested in me by the same, I present for your consideration the subject of amending Section 201 of an act entitled "An Act to incorporate the city of Texarkana, Texas, as a city of the first class, as a city of ten thousand and over of inhabitants; to grant the said city a special charter, and repeal all laws in conflict herewith, and declaring an emergency." Said act known as House bill No. 743, passed at the Regular Session of the Thirtieth Legislature of Texas, and approved May 2, 1907.

This subject is submitted for your consideration and for legislation for the purpose of correcting an error in the enrollment of the bill. Section 201 of the bill as enrolled and approved concludes with the following provision, "and providing the same does not interfere with the rights telephone companies now have under the statutes of Texas," and I am informed by the author of the bill that the law as passed did not contain this provision, and the subject is presented to you so that the correction can be made and the law

written as it was passed by the Legislature.

T. M. CAMPBELL,  
Governor.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 72, A bill to be entitled "An Act to authorize, direct and require the Attorney General of the State of Texas to institute and prosecute, in the name of the State of Texas, any suit or suits which may be necessary to recover all lands within the State of Texas belonging to the State of Texas, claimed or held in the possession of any person, firm, corporation, or association of persons, adversely to the State of Texas; and to establish the correct boundaries and the venue of all such suits; and making an appropriation for carrying out the provisions of this act, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 72, to Committee on Public Lands and Land Office.

#### MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas.

Austin, Texas, May 8, 1907.

To the Legislature.

I submit for your consideration the subject of amending an act of the Regular Session of the Thirtieth Legislature, approved April 1, 1907, entitled:

"An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporation or receiver from requiring or knowingly permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator who has been on duty for fourteen consecutive hours to perform any work until he has had at least eight hours off duty, except in certain cases, and to

prohibit any such corporation or receiver, or any officer, agent or representative thereof from requiring or knowingly permitting any such employe who has been on duty for fourteen consecutive hours, and who has gone off duty to again go on duty or perform any work for such corporation or receiver until he has had at least eight hours off duty, and providing penalties for violation of this act, and prescribing the venue of suits and prosecutions thereunder, and repealing Chapter 31 of the Acts of the Twenty-eighth Legislature, and declaring an emergency," in so far only that said act may go into effect and become operative on the 12th day of October, 1907, instead of the 12th day of July, 1907.

T. M. CAMPBELL,  
Governor.

#### HOUSE BILL NO. 13.

The Chair laid before the Senate, on second reading and as unfinished business,

House bill No. 13, A bill to be entitled "An Act to tax property passing by will or by descent or by grant or gift, taking effect on the death of the grantor or donor."

The question on the bill was the amendment by Senator Smith offered on yesterday. (See Journal of yesterday.)

Pending discussion on the amendment, Senator Griggs offered the following amendment to the amendment:

Amend the amendment by adding to the first division, the following: "Or any public corporation or charitable, educational or religious organization within this State."

Here Senator Skinner moved that the resolution providing that the time for one to speak on a subject be limited to 30 minutes, be adopted.

The motion prevailed.

Pending discussion on the amendment, Senator Stone moved that the further consideration of the bill be postponed until May 13, which motion was lost by the following vote:

Yeas—10.

Faust.	Kellie.
Glasscock.	Masterson.
Greer.	Murray.
Griggs.	Senter.
Harbison.	Stone.

Nays—13.

Barrett.	Chambers.
Brachfield.	Green.

Grinnan.	Skinner.
Harper.	Stokes.
Hudspeth.	Terrell.
Mayfield.	Veale.
Meachum.	

Absent.

Cunningham.	Smith.
Paulus.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

PAIRED.

Senator Watson (present), who would vote "yea," with Senator Willacy (absent), who would vote "nay."

Senator Skinner here moved that the bill be considered by sections, which motion prevailed.

Section 1 of the bill was then read, and

Action recurred on the pending amendments, which referred to Section 1.

Senator Murray made the point of order on amendment to the amendment, that the same sought to amend by adding the same matter that had been stricken out, by adopting the committee report.

The Chair overruled the point of order.

Senator Green offered the following substitute for the amendment to the amendment:

Amend the amendment by adding to the first division the following: "Educational or religious organization within this State when such bequest, gift, or devise is to be used for charitable, educational, public or religious purposes within this State."

RECESS.

Senator Stone here moved that the Senate recess until 3 o'clock today, and

Senator Terrell moved, as a substitute, that the Senate recess until 2 o'clock today.

Action being on the longest time first, the motion to recess until 3 o'clock prevailed by the following vote:

Yeas—14.

Cunningham.	Masterson.
Faust.	Meachum.
Glasscock.	Murray.
Griggs.	Senter.
Harbison.	Stokes.
Hudspeth.	Stone.
Kellie.	Watson.

Nays—10.

Barrett.	Grinnan.
Brachfield.	Harper.
Chambers.	Mayfield.
Green.	Skinner.
Greer.	Terrell.

Absent.

Paulus.	Veale.
Smith.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

BILLS AND RESOLUTIONS.

(By unanimous consent.)

By Senator Terrell:

Senate bill No. 63, A bill to be entitled "An Act to amend Section 201 of an act entitled 'An Act to incorporate the city of Texarkana, Texas, as a city of the first class, as a city of ten thousand and over of inhabitants; to grant to the said city a special charter; to repeal all laws in conflict herewith, and declaring an emergency.'"

Read first time, and referred to Committee on Towns and Corporations.

By Senator Skinner:

Senate bill No. 64, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 1, 1907, entitled 'An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporation or receiver from requiring or knowingly permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator, who has been on duty for fourteen consecutive hours, to perform any work until he has had at least eight hours off duty, except in certain cases, and to prohibit any such corporation or receiver, or any officer, agent or representative thereof from requiring or knowingly permitting any such employe who has been on duty for fourteen consecutive hours, and who has gone off duty to again go on duty, or perform any work for such corporation or receiver until he has had at least eight hours off duty, and providing penalties

for violation of this act, and prescribing the venue of suits and prosecutions thereunder, and repealing Chapter 31 of the Acts of the Twenty-eighth Legislature, by adding thereto Section 4a, and by repealing Section 5 of said act, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Veale:

Senate bill No. 65, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1902, and which have failed or are about to fail to construct their roads and branches or any part thereof, within the time required by law, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senators Murray and Faust:

Senate bill No. 66, A bill to be entitled "An Act correcting and amending Senate bill No. 311, passed at the Regular Session of the Thirtieth Legislature, creating an independent school district in the counties of Gonzales and Wilson, State of Texas, to be known as the Nixon Independent School District, and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only."

Read first time, and referred to Committee on Educational Affairs.

## SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 101, A bill to be entitled "An Act to amend Section 1 of an Act of the Regular Session of the Thirtieth Legislature of the State of Texas, which was introduced and passed through said Thirtieth Legislature as House bill No. 275, entitled 'An Act creating the Christoval Independent School District in Tom Green county, Texas.'"

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## THIRD HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 104, A bill to be entitled "An Act to amend Sections 2 and 3 of an act passed by the Regular Session of the Thirtieth Legislature and entitled 'An Act to authorize, enable and permit the territory within the boundaries of the town of Estelline, in Hall county, Texas, and other lands and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as Estelline Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes only, and declaring an emergency.'"

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills:

House bill No. 101, to Committee on Educational Affairs.

House bill No. 104, to Committee on Educational Affairs.

## MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas.

Austin, Texas, May 8, 1907.

To the Legislature.

Pursuant to Section 40, Article 3, of the Constitution of the State of Texas, and by virtue of the authority vested in me thereby, I present for your consideration and for legislation, the subject of enacting a law for the relief of railway corporations having charters granted or amended since the first day of January, 1902, and which have failed or are about to fail to construct the roads and branches, or any part thereof, within the time required by law, and declaring an emergency.

It is intended by this recommendation to give relief to all roads having an unfinished grade of not less than fifty miles in length and upon which

it has expended not less than \$100,000, on condition that said roads shall, within one year from the passage of the law, construct upon the unfinished grade and equip and put in operation, twenty miles or more of railroad thereon.

**T. M. CAMPBELL,**  
Governor.

#### HOUSE BILL NO. 13.

Action recurred on House bill No. 13, the pending question being on the substitute by Senator Green for the pending amendment to the amendment.

The substitute for the amendment to the amendment was adopted.

After some discussion Senator Green asked to withdraw the substitute, but there being objection the Chair sustained a point of order to the effect, whereupon

Senator Skinner moved that Senator Green be allowed to withdraw his amendment. Senators Griggs and Terrell made the point of order that the substitute could not be withdrawn unless by unanimous consent, and called for a division of the question on the amendments.

The Chair sustained the point of order and ruled that the question was subject to a division.

The amendment to the amendment, as substituted, was then adopted.

Senator Masterson offered the following substitute for the amendment, as amended:

"This shall not apply to property passing to the father, mother, husband, wife, child, brother, sister, wife or widow of a son or the husband of a daughter, adopted or acknowledged child or lineal descendant of the decedent or grantor or donor, or any public corporation or charitable, educational or religious organization within this State when such bequest, gift or devise is to be used for charitable, educational, public or religious purposes within this State."

**MASTERTON,**  
**TERRELL,**  
**MEACHUM.**

Senator Stokes moved to table the substitute, which motion to table was adopted by the following vote:

#### Yeas—12.

Barrett.	Harper.
Brachfield.	Mayfield.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Veale.

#### Nays—11.

Faust.	Meachum.
Glasscock.	Murray.
Greer.	Senter.
Griggs.	Stone.
Hudspeth.	Terrell.
Masterson.	

Absent.

Harbison.	Watson.
Kellie.	Willacy.
Smith.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

Senator Skinner moved to reconsider the vote by which the amendment was tabled, and lay that motion on the table.

The motion to table was lost by the following vote:

#### Yeas—11.

Barrett.	Mayfield.
Brachfield.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Veale.
Harper.	

#### Nays—11.

Faust.	Meachum.
Glasscock.	Murray.
Greer.	Senter.
Griggs.	Stone.
Hudspeth.	Terrell.
Masterson.	

Present—Not Voting.

Chambers.

Absent.

Harbison.	Watson.
Kellie.	Willacy.
Smith.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

The vote being a tie, Lieutenant Governor Davidson voted "nay."

Action then recurred on the amendment by Senator Smith, as amended, and which a division of the question was called for.

Action recurred on the original amendment by Senator Smith first, and the same was adopted by the following vote:

#### Yeas—12.

Chambers.	Glasscock.
Faust.	Greer.

Griggs.	Murray.
Hudspeth.	Senter.
Masterson.	Stone.
Meachum.	Terrell.

Nays—10.

Barrett.	Mayfield.
Brachfield.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Veale.

Absent.

Harbison.	Watson.
Kellie.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

PAIRED.

Senator Harper (present), who would vote "nay," with Senator Smith (absent), who would vote "yea."

Senator Masterson moved to reconsider the vote by which the amendment was adopted, and lay that motion on the table.

The motion to table prevailed by the following vote:

Yeas—11.

Faust.	Meachum.
Glasscock.	Murray.
Greer.	Senter.
Griggs.	Stone.
Hudspeth.	Terrell.
Masterson.	

Nays—11.

Barrett.	Mayfield.
Brachfield.	Paulus.
Chambers.	Skinner.
Cunningham.	Stokes.
Green.	Veale.
Grinnan.	

Absent.

Harbison.	Watson.
Kellie.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

PAIRED.

Senator Harper (present), who would vote "nay," with Senator Smith (absent), who would vote "yea."

The vote being a tie, Lieutenant Governor Davidson voted "nay."

Action then recurred on the part of the amendment by Senator Green.

Senator Harper moved the previous question on the amendment and the bill, which motion, being duly seconded, and which motion was lost by the following vote:

Yeas—12.

Barrett.	Harper.
Brachfield.	Hudspeth.
Chambers.	Mayfield.
Cunningham.	Paulus.
Green.	Skinner.
Grinnan.	Stokes.

Nays—12.

Faust.	Murray.
Glasscock.	Senter.
Greer.	Stone.
Griggs.	Terrell.
Masterson.	Veale.
Meachum.	Watson.

Absent.

Harbison.	Smith.
Kellie.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

The vote being a tie, Lieutenant Governor Davidson voted "nay."

The part of the amendment by Senator Green was adopted.

Senator Barrett moved the previous question on the engrossment of the bill. The motion being duly seconded, was so ordered by the following vote:

Yeas—13.

Barrett.	Hudspeth.
Brachfield.	Mayfield.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Veale.
Harper.	

Nays—11.

Faust.	Murray.
Glasscock.	Senter.
Greer.	Stone.
Griggs.	Terrell.
Masterson.	Watson.
Meachum.	

Absent.

Harbison.	Smith.
Kellie.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

The Chair here stated that the Senate had on this morning voted that the bill be considered by sections, hence each section of the bill would have to be voted on separate on the passage of the bill to a third reading.

Senator Terrell then moved that the Senate reconsider the vote by which the Senate voted to consider the bill by sections.

Several points of order were raised as to this motion, and the Chair sustained same.

Pending further discussion on the matter, the Chair stated that the remaining sections of the bill would be read if called for, and there being no demand for same, so announced that the passage of the bill to a third reading was in order.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—14.

Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Terrell.
Hudspeth.	Veale.

Nays—9.

Faust.	Masterson.
Glasscock.	Murray.
Greer.	Senter.
Griggs.	Stone.
Kellie.	

Absent.

Harbison.

Absent—Excused.

Alexander.	Looney.
Holsey.	

PAIRED.

Senator Harper (present), who would vote "yea," with Senator Smith (absent), who would vote "nay."

Senator Watson (absent), who would vote "nay," with Senator Willacy (absent), who would vote "yea."

Senator Stokes moved to reconsider the vote by which the bill was passed to a third reading, and lay that motion on the table.

The Motion to table prevailed.

#### SENATE BILL NO. 58.

On motion of Senator Senter, the pending order of business (Senate bill No. 1) was suspended, and the Senate

took up, out of its order, Senate bill No. 58 by the following vote:

Yeas—23.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Hudspeth.	

Nays—1.

Kellie.

Absent.

Harbison.	Stokes.
Smith.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

The Chair laid before the Senate, on second reading,

Senate bill No. 58, A bill to be entitled "An Act to create a Judiciary Commission to prepare and submit to the Thirty-first Texas Legislature drafts of constitutional amendments and bills and measures for the improvements of the judiciary and court system procedure of Texas."

Senator Senter offered the following amendment, which was adopted:

Amend the bill, Section 2, page 1, by inserting after the words "revising and digesting the laws of Texas," in line 27, the following words: "As provided for in said act entitled an act to provide for revising, digesting and publishing the laws, civil and criminal, of the State of Texas, to prepare the same for publication in annotated form and."

Senator Senter offered the following amendment, which was adopted:

Amend the bill, Section 5, line 31, by substituting for the words and figures "ten thousand (\$10,000) dollars" the following words: "Twenty thousand (\$20,000) dollars, or so much thereof as may be required."

Senator Meachum offered the following amendment, which was adopted:

Amend the bill by striking out the word "Governor." in Section 1, page 1, and insert in lieu thereof "the Supreme Court of Texas."

Senator Griggs offered the following amendment:



Amend in line 25, page 2, so as to read "one hundred and fifty (\$150)."

Senator Chambers moved to table the amendment, which motion to table prevailed by the following vote:

Yeas—12.

Barrett.	Harper.
Brachfield.	Mayfield.
Chambers.	Meachum.
Green.	Paulus.
Greer.	Skinner.
Grinnan.	Terrell.

Nays—10.

Faust.	Murray.
Glasscock.	Senter.
Griggs.	Stone.
Kellie.	Veale.
Masterson.	Watson.

Absent.

Cunningham.	Smith.
Harbison.	Stokes.
Hudspeth.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

Senator Skinner moved the previous question on the engrossment of the bill, which motion being duly seconded, was so ordered.

The bill was read second time, and ordered engrossed by the following vote:

Yeas—15.

Brachfield.	Meachum.
Chambers.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Masterson.	

Nays—9.

Barrett.	Mayfield.
Cunningham.	Murray.
Faust.	Stokes.
Greer.	Stone.
Kellie.	

Absent.

Grinnan.	Smith.
Harbison.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

On motion of Senator Senter, the constitutional rule requiring bills to be read

on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Brachfield.	Kellie.
Chambers.	Masterson.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.

Nays—5.

Barrett.	Stokes.
Greer.	Stone.
Mayfield.	

Absent.

Harbison.	Willacy.
Smith.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill was read third time, and passed by the following vote:

Yeas—19.

Brachfield.	Kellie.
Chambers.	Masterson.
Cunningham.	Meachum.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Hudspeth.	

Nays—6.

Barrett.	Murray.
Greer.	Stokes.
Mayfield.	Stone.

Absent.

Harbison.	Willacy.
Smith.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 65.

On motion of Senator Veale, the pending order of business (Senate bill No.

1) was suspended, and the Senate took up, out of its order, Senate bill No. 65 by the following vote:

## Yeas—24.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.

## Absent.

Grinnan.	Smith.
Harbison.	Willacy.

## Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill having been read first time today,

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

## Yeas—25.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

## Absent.

Harbison.	Willacy.
Smith.	

## Absent—Excused.

Alexander.	Looney.
Holsey.	

The Chair laid before the Senate, on second reading,

Senate bill No. 65, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January,

1902, and which have failed, or are about to fail, to construct their roads and branches or any part thereof within the time required by law, and declaring an emergency."

On motion of Senator Veale, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Veale, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—23.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

## Nays—1.

Stokes.

## Absent.

Grinnan.	Smith.
Harbison.	Willacy.

## Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill was read third time, and passed by the following vote:

## Yeas—23.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

## Absent.

Grinnan.	Harbison.
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Smith. Willacy.  
Stokes. Absent—Excused.

Alexander. Looney.  
Holsey.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 29, A bill to be entitled "An Act to authorize suits against non-residents and residents doing business in Texas either individually or as a copartnership; fixing the venue at the place where such business or branch of same is conducted or agency maintained, and providing for service in such suits and the legal effects of judgments that shall be rendered," with engrossed rider.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 29, to Judiciary Committee.

#### SENATE BILL NO. 64.

On motion of Senator Skinner, the pending order of business (Senate bill No. 1) was suspended, and the Senate took up, out of its order, Senate bill No. 64 by the following vote:

Yeas—25.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Harbison. Willacy.  
Smith.

Absent—Excused.

Alexander. Looney.  
Holsey.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

Yeas—23.

Barrett.	Kellie.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Watson.
Hudspeth.	

Absent.

Harbison. Veale.  
Paulus. Willacy.  
Smith.

Absent—Excused.

Alexander. Looney.  
Holsey.

The Chair laid before the Senate, on second reading,

Senate bill No. 64 (what is known as the 14-hour bill). See caption under head of Bills and Resolutions.

On motion of Senator Skinner, the Senate Rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Skinner, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Barrett.	Faust.
Brachfield.	Glasscock.
Chambers.	Green.
Cunningham.	Greer.

Griggs.	Murray.
Grinnan.	Senter.
Harper.	Skinner.
Hudspeth.	Stokes.
Kellie.	Stone.
Masterson.	Terrell.
Mayfield.	Veale.
Meachum.	Watson.

Absent.

Harbison.	Smith.
Paulus.	Willacy.

Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Harbison.	Willacy.
Smith.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 105.

On motion of Senator Masterson, the pending order of business (Senate bill No. 1) was suspended, and the Senate took up, out of its order, House bill No. 105.

The Chair laid before the Senate, on second reading,

House bill No. 105, A bill to be entitled "An Act to authorize and empower the city of Galveston to convey to the United States of America a certain area or tract of land in Galveston Bay for immigration station and for other governmental purposes, and to cede

to the said United States jurisdiction over the same, and declaring an emergency."

On motion of Senator Masterson, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Masterson, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Masterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Harbison.	Willacy.
Smith.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Harbison.	Willacy.
Smith.	

## Absent—Excused.

Alexander. Looney.  
Holsey.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 102, A bill to be entitled "An Act to incorporate Merit School District in Hunt county an independent school district, and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 102, to Committee on Educational Affairs.

## RULES AMENDED.

Senator Skinner here called up, as a privileged matter, the following resolution, notice of which had been given several days ago and was printed in the Journal.

Whereas, Senate Rule No. XXX, as shown by Senate Journal of February 26, was amended as follows: And no vote shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct an error therein; and

Whereas, Said amendment would very probably at this Special Session prevent the passage of important measures; therefore,

Resolved, That said amendment to Senate Rule No. XXX be and the same is hereby abrogated, repealed and set aside, for and during this Special Session.

On motion of Senator Skinner, the resolution was adopted by the following vote:

## Yeas—20.

Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.

## Nays—3.

Cunningham.	Stone.
Masterson.	

## Absent.

Barrett.	Smith.
Glasscock.	Willacy.
Harbison.	

## Absent—Excused.

Alexander.	Looney.
Holsey.	

## SENATE BILL NO. 63.

On motion of Senator Terrell, the pending order of business (Senate bill No. 1) was suspended, and the Senate took up, out of its order, Senate bill No. 63.

The bill having been read first time today, on motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

## Yeas—23.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

## Absent.

Glasscock.	Smith.
Harbison.	Willacy.
Skinner.	

## Absent—Excused.

Alexander.	Looney.
Holsey.	

The Chair laid before the Senate, on second reading,

Senate bill No. 63, A bill to be entitled "An Act to amend Section 201 of an act entitled 'An Act to incorporate the city of Texarkana, Texas, as a city of the first class as a city of ten thousand and over of inhabitants,' to grant to the said city a special charter, to repeal all laws in conflict herewith, and declaring an emergency."

On motion of Senator Terrell, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Terrell, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Glasscock.	Smith.
Harbison.	Willacy.
Skinner.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

The bill was read third time, and passed by the following vote:

Yeas—23.

Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Glasscock.	Smith.
Harbison.	Willacy.
Skinner.	

Absent—Excused.

Alexander.	Looney.
Holsey.	

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas.

Austin, Texas, May 8, 1907.

To the Legislature:

Pursuant to the authority vested in me by Section 40, Article 3 of the Constitution of the State of Texas, I present for legislation the subject of correcting and amending Senate bill No. 311, passed at the Regular Session of the Thirtieth Legislature, creating an independent school district in the counties of Gonzales and Wilson, State of Texas, to be known as Nixon Independent School District.

T. M. CAMPBELL,  
Governor.

#### MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas.

Austin, Texas, May 8, 1907.

To the Legislature:

In all reasonable ways I have sought by message to impress upon the membership of this Legislature the importance of legislation looking to a more equitable distribution of the burdens of taxation. At the opening of the Regular Session I suggested the overhauling of our taxing system, so that the constitutional requirement of equality and uniformity in taxation might, in some measure, be secured. I have sought to impress the importance, not only of uniformity and equality in taxation, but of equal and uniform methods in the ascertainment of taxable values.

At the beginning of the Special Session I again submitted to your honorable bodies the subject of revenue and taxation, having in view the same objects. That the masses of the people are carrying more than their share of the burden of our State, county and municipal government, is admitted on every hand,

and that the railways, especially, are not paying their just share of the taxes admits of no discussion.

Now, then, as twenty-seven days of the Special Session have expired and no legislation upon this subject has been secured, I deem it but just to you and myself to say at this time, not in a spirit of dictation, but in a spirit of justice to you and to the people of Texas, that I will not give my approval to any measure or any law that will affect the individual citizen unless legislation properly taxing corporations is passed. I say this in view of the present status of the intangible tax law affecting railroads and of the gross receipts tax bill affecting those corporations which are known not to be now paying their just share of the taxes. Until suitable and effective legislation placing these corporations upon the tax rolls in accordance with the Constitution and law is passed, it is a waste of time to undertake legislation affecting the interest of the individual citizen.

Although the time is short, I still urge upon you to make suitable provision for the taxing of railways and other corporations which is alike demanded in justice and by the necessities of the State, as well as by the Constitution and platform of the Democratic party upon which we were all elected.

T. M. CAMPBELL,  
Governor.

#### ADJOURNMENT.

On motion of Senator Kellie, the Senate, at 6:20 o'clock p. m., adjourned until tomorrow morning at 10 o'clock.

#### APPENDIX.

#### COMMITTEE REPORTS.

(Floor Report.)

Committee Room,

Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 35, A bill to be entitled "An Act to amend Title XXX, Chapter 16, Article 1360, Revised Statutes of the State of Texas, 1895, relating to bills of exceptions,"

Have had the same under consideration, and we report same back to the

Senate with the recommendation that it do pass, and be not printed.

Stone, Chairman; Chambers, Griggs, Green, Skinner, Grinnan, Veale.

(Floor Report.)

Committee Room,

Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 29, A bill to be entitled "An Act to authorize suits against non-residents and residents doing business in Texas, either individually or as a co-partnership, fixing the venue at the place where such business or branch of same is conducted or agency maintained, and providing for service in such suits and the legal effects of judgments that shall be rendered and for execution of same,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass.

Stone, Chairman; Grinnan, Veale, Harper, Meachum, Chambers, Skinner, Green, Brachfield.

(Floor Report.)

Committee Room,

Austin, Texas, May 7, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 2, to whom was referred

House bill No. 56, A bill to be entitled "An Act to amend Article 693 of Chapter 7, Title XV of the Penal Code of the State of Texas, in reference to the punishment for rape, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Acting Chairman; Hudspeth, Meachum, Greer, Stokes, Paulus, Barrett.

(Floor Report.)

Committee Room,

Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 63, A bill to be entitled

"An Act to amend Section 201 of an act entitled to incorporate the city of Texarkana, Texas, as a city of the first class as a city of ten thousand and over of inhabitants; to grant to the said city a special charter; to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Chambers, Chairman; Senter, Master-son, Griggs, Green.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred

House bill No. 105, A bill to be entitled "An Act to authorize and empower the city of Galveston, Texas, to convey to the United States of America a certain area or tract of land in Galveston Bay for an immigration station, and for other governmental purposes, and to cede to the said United States jurisdiction over the same, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Mayfield, Chairman; Griggs, Huds-peth, Terrell, Veale, Barrett.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 104, A bill to be entitled "An Act to amend Sections 2 and 3 of an act passed at the Regular Session of the Thirtieth Legislature, entitled 'An Act to authorize, enable and permit the territory within the boundaries of the town of Estelline, Hall county, Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as Estelline Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for

free school purposes only, and declaring an emergency,'" .

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass and be not printed.

Barrett, Chairman; Harper, Green, Grinnan, Kellie, Senter, Meachum, Paulus, Glasscock.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

House bill No. 101, A bill to be entitled "An Act to amend Section 1 of Thirtieth Legislature of the State of Texas, which was introduced and passed through said Thirtieth Legislature as House bill No. 275, entitled 'An Act creating Christoval Independent School District in Tom Green county, Texas,'"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Green, Grinnan, Kellie, Senter, Meachum, Paulus, Glasscock.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

House bill No. 102, A bill to be entitled "An Act to incorporate Merit School District in Hunt county, and to provide for the election of trustees, raising revenue by taxation, issuing bonds, and maintaining public free schools therein,"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Green, Grinnan, Kellie, Senter, Meachum, Paulus.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate bill No. 65, A bill to be en-



titled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1902, and which have failed, or are about to fail to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Brachfield, Chairman; Chambers, Mayfield, Skinner, Murray, Faust, Green, Senter, Masterson.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

House bill No. 40, A bill to be entitled "An Act to validate certain levies of county taxes and proceedings thereunder, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Skinner, Acting Chairman; Chambers, Green, Mayfield, Murray, Faust, Senter.

(Floor Report.)

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate bill No. 64, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 1, 1907, entitled 'An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporation or receiver from requiring or knowingly permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator who has been on duty for fourteen consecutive hours to perform any work until he has had at least eight hours off duty, except in certain cases, and to prohibit any such corporation or receiver, or any officer, agent or representative thereof from requiring or knowingly per-

mitting any such employe who has been on duty for fourteen consecutive hours, and who has gone off duty to again go on duty, or perform any work for such corporation or receiver until he has had at least eight hours off duty, and providing penalties for violation of this act, and prescribing the venue of suits, and prosecutions thereunder, and repealing Chapter 31 of the Acts of the Twenty-eighth Legislature, and declaring an emergency,' by adding thereto Section 4a, and by repealing Section 5 of said act,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Brachfield, Chairman; Skinner, Faust, Murray, Meachum, Chambers, Green, Masterson, Mayfield.

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 60, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 25, 1907, entitled 'An Act to amend Chapter 94, page 119, of the Acts of the Twenty-eighth Legislature, entitled "An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith, by adding to said law Section 18, concerning punishment for violation thereof; Section 19 with reference to venue; Section 20 with reference to the duties of district and county attorneys and the Attorney General, and Section 21 concerning fees, and declaring an emergency,"' by adding to said Chapter 94, page 119, Acts of the Twenty-eighth Legislature, Sections 19, 20, 21 and 22; said Section 19 defining, prohibiting and declaring illegal trusts, monopolies and conspiracies in restraint of trade, providing criminal prosecutions therefor, and fixing the punishment and penalties for violations of said chapter, and of this act; Section 20 fixing venue for

criminal prosecutions, and providing that such prosecutions shall not bar a prosecution of or recovery against any other person or persons for the same offense; Section 21 defining the powers and prescribing the duties of county and district attorneys of this State, and of the Attorney General, under this act; and Section 22 fixing the fees of the county and district attorneys for prosecutions under this act, and apportioning such fees between such county and district attorneys, and providing that this act shall not repeal said Chapter 94, Acts of the Twenty-eighth Legislature of Texas, and that this act shall be cumulative thereof, and declaring an emergency,"

And find the same correctly engrossed.

BARRETT, Acting Chairman.

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 65, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1902, and which have failed or are about to fail to construct their roads and branches or any part thereof within the time required by law, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 58, A bill to be entitled "An Act to create a Judiciary Commission to prepare and submit to the Thirty-first Legislature drafts of constitutional amendments and bills and measures for the improvement of the judiciary system and court procedure of Texas,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

## TWENTIETH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, May 9, 1907.

The Senate met pursuant to adjournment, Lieutenant Governor Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent—Excused.

Holsey.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Kellie, the same was dispensed with.

(See Appendix for committee reports.)

There being no bills and resolutions, the Chair declared the morning call concluded.

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 103, A bill to be entitled "An Act to incorporate Seagoville School District in Dallas and Kaufman counties an independent school district; and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein."

Senate Concurrent Resolution No. 2, Authorizing the Comptroller to draw warrants to pay balance due and to become due members, officers and employees of the Regular Session of the Thirtieth Legislature, out of the appropriation for the per diem pay of members, offi-